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NOV 13 1992

**ROSENMAN & COLIN**

1300 19TH STREET, N.W., WASHINGTON, D.C. 20036

TELEPHONE (202) 463-7177

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NEW YORK OFFICE  
575 MADISON AVENUE  
NEW YORK, NY 10022-2585  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

SAMUEL I. ROSENMAN (1896-1973)  
RALPH F. COLIN (1900-1985)

November 13, 1992

SPECIAL COUNSEL

JEROLD L. JACOBS

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Donna R. Searcy, Secretary  
Federal Communications Commission  
Washington, D.C. 20554

Re: **MM Docket No. 92-214**  
**FM Table of Allotments**  
**Columbia and Bourbon, Missouri**

Dear Ms. Searcy:

Enclosed herewith for filing, on behalf of our client, Lake Broadcasting, Inc., are an original and four (4) copies of its "COMMENTS OF LAKE BROADCASTING, INC." in the above-referenced FM channel rulemaking proceeding.

Please direct all inquiries and communications concerning this matter to the undersigned.

Very truly yours,

  
Jerold L. Jacobs

Enc.

cc: As on Certification of Service (all w/enc.)

No. of Copies rec'd  
List A B C D E

0+9

38

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Please direct all inquiries and communications concerning this matter to the undersigned.

Very truly yours,

/s/

Jerold L. Jacobs

Enc.

cc: As on Certification of Service (all w/enc.)

bc: Janet Cox (w/enc.)

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED

NOV 13 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations )  
(Columbia and Bourbon, Missouri )

MM Docket No. 92-214

RM-8062

TO: Chief, Allocations Branch  
Mass Media Bureau

COMMENTS OF LAKE BROADCASTING, INC.

LAKE BROADCASTING, INC. ("Lake"), an applicant for a new FM broadcast station on Channel 244A at Bourbon, Missouri, by its attorneys and pursuant to §1.415 of the Commission's Rules, hereby submits its comments in response to the above-captioned Notice of Proposed Rule Making ("NPRM"), DA 92-1163, released September 22, 1992. In support whereof, the following is shown:

1. The NPRM states (at ¶3): "If no applications are filed for Channel 244A during the comment cycle in this proceeding..., we shall delete the channel at Bourbon for lack of interest". The deadline for comments in this proceeding is November 13, 1992.

2. On November 12, 1992, Lake filed an application for a new FM station on Channel 244A at Bourbon, Missouri, pursuant to the Commission's "first come/first serve" policy in §73.3573(g)(3) of the Rules. A copy of the entire application is attached, along with copies of Lake's filing fee check and the Federal Express label showing that Lake's

Bourbon application was sent to the Mellon Bank in Pittsburgh, Pennsylvania, on November 12 for next-day delivery.


3. Thus, it is clear that Lake is very interested in becoming the licensee of an FM station on Channel 244A at Bourbon, and, therefore, Lake is strenuously opposed to the deletion of that frequency. Indeed, Lake was the original petitioner for the allotment of Channel 244A at Bourbon in 1988. The Commission's previous duopoly prohibition (amended in September 1992) precluded Lake from filing its application sooner.

WHEREFORE, in light of the foregoing, Lake Broadcasting, Inc. respectfully requests that the Commission should not delete Channel 244A, Bourbon, Missouri, from the FM Table of Allotments.

Respectfully submitted,

LAKE BROADCASTING, INC.

By

  
Howard J. Braun  
Jerold L. Jacobs

ROSENMAN & COLIN  
1300 - 19th Street, N.W.  
Suite 200  
Washington, D.C. 20036  
(202) 463-7177

Its Attorneys

Dated: November 13, 1992

**ROSENMAN & COLIN**

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NEW YORK, NY 10022-2585  
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SAMUEL I. ROSENMAN (1896-1973)  
RALPH F. COLIN (1900-1985)

November 12, 1992

SPECIAL COUNSEL  
JEROLD L. JACOBS

**BY FEDERAL EXPRESS\***

Federal Communications Commission\*  
c/o Mellon Bank  
Three Mellon Bank Center  
525 William Penn Way  
27th Floor, Room 153-2713  
Pittsburgh, PA 15259

**ATT: WHOLESALE LOCKBOX SHIFT SUPERVISOR**

**Re: Lake Broadcasting, Inc.  
(New) Channel 244A Bourbon MO  
FCC Form 301 Application**

Dear Sir/Madam:

Enclosed on behalf of our client, Lake Broadcasting, Inc., applicant for a new FM station on Channel 244A at Bourbon, Missouri, are an original and two (2) copies of its application on FCC Form 301. This application is being filed on a "first come/first serve" basis under §73.3573(g)(3) of the Commission's Rules.

Also enclosed is a check in the amount of \$2,030.00 to cover the requisite filing fee.

Please note that an additional "RETURN" copy of this Application is enclosed herewith to be date-stamped by the Commission upon receipt and returned to the undersigned in the enclosed self-addressed envelope.

Please direct any inquiries or communications concerning this matter to the undersigned.

Very truly yours,

  
Jerold L. Jacobs

CUSTOMER:  
PLEASE REMOVE ONE OF THESE LABELS AND PLACE  
IT ABOVE THE AIRBILL ON YOUR PACKAGE.

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QUESTIONS? CALL 800-238-5355 TOLL FREE.

PACKAGE TRACKING NUMBER: 1 8 6 2 7 1 4 0 9 2

2002R 1862714092

SHIPPER'S FEDERAL EXPRESS ACCOUNT NUMBER: 1004-1676-0 Date: 11/12/92

From (Your Name) Please Print: Jerold L. Jacobs, Esq. Your Phone Number (Very Important): (202) 463-7177 To (Recipient's Name) Please Print: (202) 463-7177

Company: ROSENMAN COLIN FREUND ETAL Department/Floor No.: WHOLESALE LOCKBOX SHIFT SUPERVISOR

Street Address: 1300 19TH ST NW STE 200 City: WASHINGTON State: DC ZIP Required: 20036

Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes.): 525 William Penn Way City: Pittsburgh State: PA ZIP Required: 15259

YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 24 characters will appear on invoice.): Charge - 65389-64318 (Bourbon MO Ch.244); Clinton

PAYMENT 1 ☐ Bill Sender 2 ☐ Bill Recipient's FedEx Acct. No. 3 ☐ Bill 3rd Party FedEx Acct. No. 4 ☐ Bill in Credit Card below (req'd)

☐ Cash/Check ☐ Add./Credit Card No. Exp. Date: / /

**SERVICES** (Check only one box)

Priority Overnight (Delivery by next business morning): 11 ☐ YOUR PACKAGING 16 ☐ FEDEX LETTER 12 ☐ FEDEX PAK 13 ☐ FEDEX BOX 14 ☐ FEDEX TUBE

Standard Overnight (Delivery by next business afternoon): 51 ☐ YOUR PACKAGING 56 ☐ FEDEX LETTER 52 ☐ FEDEX PAK 53 ☐ FEDEX BOX 54 ☐ FEDEX TUBE

Economy Two-Day (Delivery by second business day): 30 ☐ ECONOMY

Government Overnight (Delivery by next business morning): 40 ☐ GOVT LETTER 41 ☐ GOVT PACKAGE

Freight Service (For Extra Large & Heavy Packages over 150 lbs.): 70 ☐ OVERNIGHT FREIGHT 80 ☐ TWO-DAY FREIGHT

**DELIVERY AND SPECIAL HANDLING** (Check services required)

1 ☐ HOLD FOR PICK-UP (if in Box 14)

2 ☐ DELIVER WEEKDAY

3 ☐ DELIVER SATURDAY (Extra charge)

4 ☐ DANGEROUS GOODS (Extra charge)

5 ☐

6 ☐ DRY ICE (Extra charge)

7 ☐ OTHER SPECIAL SERVICE

8 ☐

9 ☐ SATURDAY PICK-UP (Extra charge)

10 ☐

11 ☐

12 ☐ HOLIDAY DELIVERY (if allowed) (Extra charge)

**WEIGHT** (Check one box)

1 ☐ Regular Ship 2 ☐ On-Cal Ship

**DECLARED VALUE** (Check one box)

1 ☐ Regular Ship 2 ☐ On-Cal Ship

**SERVICE CONDITIONS, DECLARED VALUE AND LIMIT OF LIABILITY**

Use of this label constitutes your agreement to the service conditions in our current Service Guide, available upon request. See back of sender's copy of this label for information. Service conditions may vary for Government Overnight Services. See U.S. Government Service Guide for details. We will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, and document your actual loss for a timely claim. Limitations found in the current Federal Express Service Guide apply. Your right to recover from Federal Express for any loss, including interest, value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the declared value specified to the left. Recovery cannot exceed actual documented loss. The maximum Declared Value for FedEx Letter and FedEx Pak packages is \$100.00. In the event of untimely delivery, Federal Express will at your request and with some limitations, refund all transportation charges paid. See Service Guide for further information. Sender authorizes Federal Express to deliver this shipment without obtaining a delivery signature and shall indemnify and hold harmless Federal Express from any claims resulting therefrom.

Release Signature: Date/Time: FedEx Emp. No.:

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Base Charges: Declared Value Charge: Other 1: Other 2: Total Charges:

REVISION DATE 6/91 PART #137204 FORM 12/91 099 1998-91 FEDEX PRINTED IN U.S.A.

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194  
200  
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**KFXE** AM LAKE BROADCASTING, INC.  
P.O. BOX 459  
ST. CHARLES, MO 63302  
314/947-0600

**KBMX** FM

FIRST BANK CENTRE  
OSAGE BEACH, MO. 65065

CHECK NUMBER: 003776

DATE: 11-9-92

AMOUNT: \$2030.00

PAY TWO THOUSAND AND THIRTY DOLLARS AND NO CENTS

TO THE ORDER OF: FEDERAL COMMUNICATIONS COMMISSION

Re: Form 301 BOURBON MO LAKE B/C

*Janet Cox*  
AUTHORIZED SIGNATURE

003776 081505634 01000934 01

Approved by OMB  
3080-0027  
Expires 11/30/94

FCC 301

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20534

FOR  
FCC  
USE  
ONLY

APPLICATION FOR CONSTRUCTION PERMIT  
FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY

FILE NO.

Section 1 - GENERAL INFORMATION

1. APPLICANT NAME

LAKE BROADCASTING, INC.\*

MAILING ADDRESS (Line 1) (Maximum 85 characters)  
222 Indacom Drive

MAILING ADDRESS (Line 2) (if required) (Maximum 85 characters)

CITY St. Peters	STATE OR COUNTRY (if foreign address) MO.	ZIP CODE 63376
TELEPHONE NUMBER (include area code) 314-928-6569	CALL LETTERS	OTHER FCC IDENTIFIER (IF APPLICABLE)

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1 - GENERAL INFORMATION B.

2. A. Is a fee submitted with this application? ☒ Yes ☐ No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) and go to Question 3.

☐ Governmental Entity ☐ Noncommercial educational licensee

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(1) <table border="1"><tr><td>M</td><td>T</td><td>R</td></tr></table>	M	T	R	<table border="1"><tr><td>0</td><td>0</td><td>0</td><td>1</td></tr></table>	0	0	0	1	\$ 2030.00	
M	T	R								
0	0	0	1							

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY							
(2) <table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td>0</td><td>0</td><td>0</td><td>1</td></tr></table>	0	0	0	1	\$	
0	0	0	1							

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE.  
THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION
\$ 2030.00

FOR FCC USE ONLY

3. This application is for: (check one box)

☐ AM

☒ FM

☐ TV

(b) Channel No. or Frequency
244A 96.7MHz

(b) Principal Community	City	State
	Bourbon	MO

\*cc: Jerold L. Jacobs, Esq., Rosenman & Colin, 1300 19th St, NW, FCC 301  
Suite 200, Washington, DC 20036

February 1992

Section I - GENERAL INFORMATION (Page 2)

(a) Check one of the following boxes:

- ☒ Application for NEW station
- ☐ MAJOR change in licensed facilities; call sign: \_\_\_\_\_
- ☐ MINOR change in licensed facilities; call sign: \_\_\_\_\_
- ☐ MAJOR modification of construction permit; call sign: \_\_\_\_\_  
File No. of construction permit: \_\_\_\_\_
- ☐ MINOR modification of construction permit; call sign: \_\_\_\_\_  
File No. of construction permit: \_\_\_\_\_
- ☐ AMENDMENT to pending application; Application file number: \_\_\_\_\_

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application?

☐ Yes ☒ No

If Yes, state:

Call letters	Community of License	
	City	State



**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

LAKE BROADCASTING, INC.

**1. Applicant is:** (check one box below)

- ☐ Individual      ☐ General partnership      ☒ For-profit corporation  
☐ Other      ☐ Limited partnership      ☐ Not-for-profit corporation

**2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.**Exhibit No.  
NA

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

**3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):**Date April, 1988 Place St. Louis, MO.

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

**4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?**☐ Yes ☒ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.  
NA**5. Complete, if applicable, the following certifications:**

- (a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No

NA

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

- (b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☒ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No

NA

## Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

- |   |   |
|---|---|
| <p>1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.</p> <p>2. Citizenship.</p> <p>3. Office or directorship held.</p> <p>4. Number of shares or nature of partnership interests.</p> <p>5. Number of votes.</p> | <p>6. Percentage of votes.</p> <p>7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.</p> <p>8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 73.501, including the nature and size of such interests and the positions held.</p> |
|---|---|

1	Lake Broadcasting, Inc. 222 Indacom Drive St. Peters, MO 63376	Janet Cox Post Office Box 404 St. Peters, MO 63376	CONTINUED ON NEXT PAGE
2	Missouri Corporation	U.S.	
3	NA	Vice-President	
4	NA	NA	
5	NA	NA	
6	NA	NA	
7	Licensee of Station KBMX (FM), Eldon MO; permittee of Station KXIY (FM), Cuba MO, and KFXE (AM), Camdenton MO.	See Exhibit 1	
8	None	None	

## Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.

2. Citizenship.

3. Office or directorship held.

4. Number of shares or nature of partnership interests.

5. Number of votes.

6. Percentage of votes.

7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.

8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

1.	Kenneth W. Kuenzie 13 E. 11th Washington, MO. 63090	Michael S. Rice 12241 Glen Park Drive Maryland Heights, MO. 63043	Dennis J. Klautzer 4228 Weatherton St. Chaires, MO. 63304
2.	US	US	US
3.	Vice-President	President/Treasurer	Secretary
4.	6,250	33,750	10,000
5.	6,250	33,750	10,000
6.	12.5%	67.5%	20%
7.	See Exhibit 1	See Exhibit 1	See Exhibit 1
8.	None	None	None

INSERT PAGE -- Nov. 9, 1992 FCC Public Notice  
Mimeo 30508

7. Does the applicant, or any party to the application, own, or have an attributable interest in: (a) any AM, FM or TV station; or (b) a daily newspaper in the same market(s) as the station(s) being proposed? ☒ Yes ☐ No

8. Does the applicant, or any party to the application, broker more than 15 percent of the broadcast hours per week of any AM or FM station in a market in which the applicant, or party to the application, has an attributable interest in any AM or FM station? See 47 C.F.R. Section 73.3555(a) for definition of "radio market." ☐ Yes ☒ No

If the answer to 7 or 8 is Yes, set forth in an Exhibit, name of party having interest; nature of the interest; call letters and location of stations involved; and identification of newspaper, where applicable.

Exhibit No.  
1

9. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 316 mv/m contour for FM) of any AM or FM station being proposed overlap the principal community service contour of:

(a) an AM or FM station which is directly or indirectly owned, operated or controlled by the applicant or any party to the application; or ☒ Yes ☐ No

(b) an AM or FM station at which more than 15 percent of the broadcast time per week is brokered by the applicant or any party to the application? ☐ Yes ☒ No

If the answer to (a) or (b) is Yes, do you certify that the ownership interests which will result from grant of the application(s) comply with 47 C.F.R. Section 73.3555(a), or that appropriate waivers of that section are herein sought? ☒ Yes ☐ No

If Yes, attach a separate Exhibit containing the market and audience information necessary to demonstrate compliance.

Exhibit No.  
2

Note: With reference to the Radio Contour Overlap Rule of 47 C.F.R. Section 73.3555(a), the applicant's Exhibit must include: (i) a map that clearly identifies, by relevant contours, the location and geographic coverage of the market or markets involved; (ii) the number of commercial AM and FM stations counted as being in the market or markets, including a map that shows the principal community contours of the stations that define the market or markets and the principal community contours of all commercial stations intersecting with the principal community contours of these stations; (iii) for markets with 15 or more commercial radio stations, a combined audience share figure, the basis and/or source material for this figure, and the results and qualification of any commissioned audience survey or alternative showing used; and (iv) the call letters and locations of all stations in the market or markets that are, or are proposed to be, commonly owned, operated or controlled, including any AM or FM station in the market for which the applicant or any party to the application brokers more than 15 percent of that station's broadcast time per week.

Section II - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 (kHz)) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

☐ Yes ☒ No

If Yes, provide particulars as an Exhibit.

Exhibit No.  
NA

8. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☒ Yes ☐ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☒ Yes ☐ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
1

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

9. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
NA

10. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.  
NA

See Exhibit 2 for showing of compliance with Section 73.3555(a) of the Rules.

Section 11 - LEGAL QUALIFICATIONS (Page 4)

OTHER MASS MEDIA INTERESTS

11. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction 6 to Section 11.)

☐ Yes ☐ No  
NA

- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(e))?

☐ Yes ☒ No  
NA

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
NA

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

12. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction 9 to Section 11.)

☐ Yes ☒ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.  
NA

13. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☒ No

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☒ Yes ☐ No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 155(c) in the case of adjudicated proceedings, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 155 information was filed, and the date of filing; and (ii) a description of the current status or disposition of the previously reported matter.

Exhibit No.  
3

# SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

\$ 95,000.00

3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
Lake Broadcasting, Inc. 222 Indacom Drive St. Peters, MO 63376  Contact: Janet Cox, V.P.  (Applicant has sufficient net liquid assets on hand)	(314) 928-6569	Applicant	\$95,000

#### Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No. 4
------------------

#### Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1. and 2. below.

Exhibit No. See Below
--------------------------

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis, proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
  - (a) Minority Status
  - (b) Past Local Residence  
If Yes, specify whether in the community of license or service area and the corresponding dates.
  - (c) Female Status
  - (d) Broadcast Experience  
If Yes, list each employer and position and corresponding dates.
  - (e) Daytime Preference
  - (f) Civic activities  
If Yes, describe the activities, specify whether in the community of license or service area, and state the corresponding dates.

In accordance with the Instructions to this Section, Lake Broadcasting, Inc. will file its Integration Statement by the amendment as-of-right date in this proceeding.



## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.  
NA

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted Richard Bray Three Rivers Farm & Land

Telephone No. (include area code) (314) 764-3336

Person contacted: (check one box below)

☐ Owner

☒ Owner's Agent

☐ Other (specify)

4. The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 855a, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.


The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

SECTION VII - CERTIFICATION (Page 2)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant LAKE BROADCASTING, INC.	Signature 
Date November 9, 1992	Title Vice-President

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use the information provided in this form to determine whether grant of the application is in the public interest. In reaching that determination, or for law enforcement purposes, it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 72 hours to 302 hours 45 minutes with an average of 192 hours 31 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Information Resources Branch, Room 418, Paperwork Reduction Project, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552(a)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

LAKE BROADCASTING, INC.

EXHIBIT 1

Name of party having such interest	Nature of interest or connection (giving dates)	Call letter of station or file number of application	Location
Kenneth W. Kuenzie	Stockholder 1974-1983	KLDN (FM)	Eldon, MO.
	Owner 1982- 1991	K272BR (FM Translator)	Jefferson City, MO.
	General Partner Prime Time Radio 1983-present	KWVB (FM) KSLQ (AM) KSLQ-FM	Potosi, MO. Washington, MO.
	Partner Osage Broadcasting	BMP-870224AI New AM station	Camdenton, MO.
	Vice-President Stockholder Lake Broadcasting, Inc. 1988 to present	KBMX (FM) KFXE (AM) (CP) KIXY (FM) (CP)	Eldon, MO. Camdenton, MO. Cuba, MO.
Dennis J. Klautzer	Applicant 1983-1984	ARN-830805AK (voluntarily dismissed)	Potosi, MO.
	Applicant-permittee 1987-1988	New FM (861230MH)	Eldon, MO.
	Secretary/stockholder Lake Broadcasting, Inc.	KBMX (FM) KFXE (AM) (CP)	Eldon, MO. Camdenton, MO.
Michael S. Rice	President/stockholder 1968-1979	KIRL (AM)	St. Charles, MO.
	President/stockholder Contemporary Media, Inc. 1982-present	WBOW (AM) WZZQ (FM)	Terre Haute, IN.
	Applicant 1972 Applicant 1973	New FM (BPH-7701) New FM (BPH-8176)	St. Charles, Mo. Decatur, IL.
	President Contemporary Broadcasting, Inc. 1971-present	KFMZ (FM) Applicant 1981 New AM (BP-810410A1) Voluntarily dismissed KDTI (FM) (CP)	Columbia, MO.  Hallsville, MO. Huntsville, MO.

OTHER MEDIA INTERESTS AND CONNECTIONS

<u>Name of party having such interest</u>	<u>Nature of interest or connection (giving dates)</u>	<u>Call letters of station or file number of application</u>	<u>Location</u>
Michael S. Rice Con't	President Lake Broadcasting, Inc. 1988 to present	KBMX (FM) KFYE (AM) (CP) KIXY (FM) (CP)	Eldon, MO. Camdenton, MO. Cuba, MO.
Janet Cox	Vice-President of Lake Broadcasting, Inc.	KBMX (FM) KFYE (AM) (CP) KXIY (FM) (CP)	Eldon MO Camdenton, MO Cuba, MO
	Vice-President Contemporary Media, Inc.	WBOW (AM) and WZZQ (FM)	Terre Haute, IN
	Vice-President Contemporary Broadcasting, Inc.	KFMZ (FM) KDTI (FM) (CP)	Columbia MO Huntsville, MO

**EXHIBIT 2**

**COMPLIANCE WITH §73.3555(a)(1)(i) OF THE COMMISSION'S RULES**

§73.3555(a)(1)(i) of the Commission's Rules permits an entity to own up to 3 commercial radio stations in a market, no more than 2 of which are in the same service, if the radio market has 14 or fewer commercial stations.

Lake Broadcasting, Inc. ("Lake") is applying for a new FM station at Bourbon, Missouri, and it is already the permittee of Station KXIY(FM), Cuba, Missouri. The attached "Duopoly Study" shows that there is a very small 3.16 mV/m contour overlap between Station KXIY(FM) and Lake's Bourbon application. Hence, Lake is submitting this Exhibit to demonstrate its compliance with §73.3555(a)(i) of the Rules.

The accompanying study and contour map show that the Bourbon-Cuba "radio market" has only eight (8) commercial radio stations:

KXIY(FM)	Cuba MO	Lake Broadcasting, Inc.
Chan. 244	Bourbon MO	Lake Broadcasting, Inc.
KTUI(AM)	Sullivan MO	Meramec Valley Broadcasting Co.
KTUI(FM)	Sullivan MO	Meramec Valley Broadcasting Co.
KLZE (FM)	Owensville MO	Davel Broadcasting
KGNN(AM)	Cuba MO	Missouri River Christian Broadcasting, Inc.
KZNN(FM)	Rolla MO	Mahaffey Enterprises, Inc.
KNSX(FM)	Steelville MO	Twenty-One Sound Communications, Inc.

Under these circumstances, grant of Lake's Bourbon application would be fully consistent with §73.3555(a)(1) of the Rules.

## DUOPOLY STUDY

CUBA/BOURBON, MO.

Note that just a very small portion of the predicted 70 DBU (3.16MV/M) contours overlap between the construction permit for station KXIY, operating on Channel 271 or 297A at Cuba, Missouri, with 3KW power, and an antenna 72 meters HAAT, as authorized in it's construction permit.

Both Cuba and Bourbon are located in Crawford County, Missouri, however they are very separate communities, not only in distance but also in commerce.

Bourbon, Missouri has no local radio service, while Cuba, Missouri has licensed station KGNN (AM) 1410, with 5,000 watts directional, daytime only.

The following facilities put city-grade signal over the affected area:

<u>CALL</u>	<u>LOCATION</u>	<u>FREQUENCY</u>	<u>POWER</u> <u>(KW)</u>	<u>HAAT</u> <u>(M)</u>
KTUI	Sullivan, MO.	1560	1.0	-
KTUI FM	Sullivan, MO.	100.9	3.0	92
KLZE FM	Owensville, MO.	95.3	50.0	125
KGNN	Cuba, MO.	1410	5.0	-
KZNN	Rolla, MO.	105.3	100	192

Also, station KSNX (FM) is assigned to Steelville, Missouri, to operate on Channel 227C2 with maximum facilities when built.

**EXHIBIT 3**

**PENDING COURT PROCEEDINGS INVOLVING  
PARTY TO APPLICATION**

Lake Broadcasting, Inc. ("Lake") is the licensee of Station KBMX(FM), Eldon, Missouri, and the permittee of Stations KFXE(AM), Camdenton, Missouri, and KXIY(FM), Cuba, Missouri.

Since June 1991, Lake has been reporting to the Commission about the pre-adjudication pendency of certain criminal matters against Michael S. Rice, Lake's President and 67.5% shareholder (Exhibit 2 of FCC Form 307 construction permit extension application for Station KFXE(AM), Camdenton MO, File No. BMP-910617AA). The most recent status report is contained in Exhibit 2 of Lake's September 29, 1992 application for further extension of time to construct Station KFXE(AM) -- File No. BMP-920929DA.

There has been no change in the status of the proceedings against Mr. Rice since Lake's above-referenced filing. Ms. Janet Cox, a Vice President of Lake, continues to make all policy and operations decisions pertaining to Lake, in consultation with Vice-President Kenneth W. Kuenzie.

**Narrative of Proposed Program Service**

The applicant intends to be actively involved in the community and will ascertain problems and needs on a continuing basis through personal involvement in radio station affairs, charitable organizations, civic organizations, and the like. Face-to-face discussion of community needs with leaders of representative organizations in the community will be conducted.

The applicant will treat the needs and interests of the community through a traditional mix of News, Public Affairs and other Programs. The applicant will air Public Affairs programming both on a regular and "as needed" basis to assure that the significant needs and problems of the community are treated. The applicant will take steps to assure that controversial issues of public importance are treated in its Public Affairs programming and that the Fairness Doctrine is observed.



<b>Section V-B - FM BROADCAST ENGINEERING DATA</b>	<b>FOR COMMISSION USE ONLY</b> File No. _____ ASB Referral Date _____ Referred by _____
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Name of Applicant

**Lake Broadcasting, Inc**

Call letters (if issued)

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate box(es))

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility            | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility                         | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height  | <input type="checkbox"/> Effective radiated power  |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                 |
| <input type="checkbox"/> Antenna location                     | <input type="checkbox"/> Class                     |
| <input type="checkbox"/> Main Studio location                 | <input type="checkbox"/> Other (Summarize briefly) |

File Number(s) \_\_\_\_\_

**1. Allocation:**

Channel No.	Principal community to be served:			Class (check only one box below)
244	City Bourbon	County Crawford	State MO	<input checked="" type="checkbox"/> A <input type="checkbox"/> B1 <input type="checkbox"/> B <input type="checkbox"/> C3 <input type="checkbox"/> C2 <input type="checkbox"/> C1 <input type="checkbox"/> C

**2. Exact location of antenna.**

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

Southwest side of highway N, 1.45 mi. West of the Meramec River bridge.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	38	°	05	'	22	"	Longitude	91	°	10	'	13	"
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8. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both.

**NA**

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.